

**ARTZ & ARTZ P.C.**  
**Law Offices**

44

*Intellectual Property and Technology Related Causes***FACSIMILE TRANSMITTAL SHEET****Fax: (248) 223-9522****Phone: (248) 223-9500****To: Examiner Constantine Hannaher****Fax No.: 703-872-9318****From: Steven W. Hays****Date: September 19, 2003****Our File No.: 112005 (GEMS-A 0132 PUS)****Serial No.: 09/683,738****Comments:** Please find attached Applicants' Amendment and Request for Reconsideration as it relates to the above referenced patent application serial number. Thank you.**Total Pages (incl. Cover sheet): 21**

The information contained in this facsimile message may be confidential and/or legally privileged information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any copying, dissemination or distribution of confidential or privileged information is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and we will arrange for the return of the facsimile. Thank you.

*If there are any problems during transmission, please call: (248) 223-9500.*

Angie Moscovitz  
(Operator)

28333 TELEGRAPH ROAD, SUITE 250, SOUTHFIELD, MICHIGAN 48034  
TELEPHONE: (248) 223-9500 -- FACSIMILE: (248) 223-9522

PTO/SB/17 (05-03)

Approved for use through 04/30/2003. OMB 0851-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 480.00)

## Complete if Known

Application Number	09/683,738
Filing Date	February 7, 2002
First Named Inventor	Habib Vafi, et al.
Examiner Name	Constantine Hannaher
Art Unit	2878
Attorney Docket No.	112005 (GEMS-A 0132 PUS)

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account:

Deposit Account Number	50-0476
Deposit Account Name	JOHN A. ARTZ, P.C.

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 180	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$ 0.00)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	20** = 0	18	0
Multiple Dependent	3** = 0	84	0
		280	0

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0.00)

\*for number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1808 180	1808 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify) Extra Claim Fees			480.00

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 480.00)

## SUBMITTED BY

Name (Print/Type)	Steven W. Hays	Registration No. (Attorney/Agent)	41,823	Telephone	248-223-9500
Signature	<i>Steven W. Hays</i>	Date	September 19, 2003		

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/06 (08-03)

Approved for use through 7/31/2008, OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD						Application or Docket Number 112005 (GEMS-A 0132 PUS)																															
Substitute for Form PTO-875																																					
<b>CLAIMS AS FILED - PART I</b>																																					
(Column 1)		(Column 2)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY																															
FOR	NUMBER FILED	NUMBER EXTRA		RATE	FEE	RATE	FEE																														
BASIC FEE (37 CFR 1.16(a))				\$		\$ 740																															
TOTAL CLAIMS (37 CFR 1.16(c))				x \$ 18 =		x \$ 18 = 0																															
INDEPENDENT CLAIMS (37 CFR 1.16(b))				x \$ 84 =		x \$ 84 = 84																															
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d))				+ \$ =		+ \$ =																															
				TOTAL		TOTAL 824																															
* If the difference in column 1 is less than zero, enter "0" in column 2.																																					
<b>CLAIMS AS AMENDED - PART II</b>																																					
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY																															
SMALL ENTITY		OR		OTHER THAN SMALL ENTITY																																	
RATE	ADDITIONAL FEE			RATE	ADDITIONAL FEE																																
x \$ =				x \$ 18 = 144																																	
x \$ =				x \$ 84 = 336																																	
+ \$ =				+ \$ =																																	
TOTAL ADD'L FEE				TOTAL ADD'L FEE 480																																	
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2" style="text-align: center;">(Column 1)</th> <th colspan="2" style="text-align: center;">(Column 2)</th> <th colspan="2" style="text-align: center;">(Column 3)</th> </tr> <tr> <th style="text-align: center;">AMENDMENT A</th> <th style="text-align: center;">CLAIMS REMAINING AFTER AMENDMENT</th> <th style="text-align: center;">HIGHEST NUMBER PREVIOUSLY PAID FOR</th> <th style="text-align: center;">PRESENT EXTRA</th> <th style="text-align: center;">HIGHEST NUMBER PREVIOUSLY PAID FOR</th> <th style="text-align: center;">PRESENT EXTRA</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Total (37 CFR 1.16(c))</td> <td style="text-align: center;">28</td> <td style="text-align: center;">Minus</td> <td style="text-align: center;">20</td> <td style="text-align: center;">20</td> <td style="text-align: center;">8</td> </tr> <tr> <td style="text-align: center;">Independent (37 CFR 1.16(b))</td> <td style="text-align: center;">8</td> <td style="text-align: center;">Minus</td> <td style="text-align: center;">4</td> <td style="text-align: center;">4</td> <td style="text-align: center;">4</td> </tr> <tr> <td colspan="6">FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))</td> </tr> </tbody> </table>								(Column 1)		(Column 2)		(Column 3)		AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	Total (37 CFR 1.16(c))	28	Minus	20	20	8	Independent (37 CFR 1.16(b))	8	Minus	4	4	4	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))					
(Column 1)		(Column 2)		(Column 3)																																	
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA																																
Total (37 CFR 1.16(c))	28	Minus	20	20	8																																
Independent (37 CFR 1.16(b))	8	Minus	4	4	4																																
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))																																					
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2" style="text-align: center;">(Column 1)</th> <th colspan="2" style="text-align: center;">(Column 2)</th> <th colspan="2" style="text-align: center;">(Column 3)</th> </tr> <tr> <th style="text-align: center;">AMENDMENT B</th> <th style="text-align: center;">CLAIMS REMAINING AFTER AMENDMENT</th> <th style="text-align: center;">HIGHEST NUMBER PREVIOUSLY PAID FOR</th> <th style="text-align: center;">PRESENT EXTRA</th> <th style="text-align: center;">HIGHEST NUMBER PREVIOUSLY PAID FOR</th> <th style="text-align: center;">PRESENT EXTRA</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Total (37 CFR 1.16(c))</td> <td style="text-align: center;">-</td> <td style="text-align: center;">Minus</td> <td style="text-align: center;">-</td> <td style="text-align: center;">-</td> <td style="text-align: center;">-</td> </tr> <tr> <td style="text-align: center;">Independent (37 CFR 1.16(b))</td> <td style="text-align: center;">-</td> <td style="text-align: center;">Minus</td> <td style="text-align: center;">-</td> <td style="text-align: center;">-</td> <td style="text-align: center;">-</td> </tr> <tr> <td colspan="6">FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))</td> </tr> </tbody> </table>								(Column 1)		(Column 2)		(Column 3)		AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	Total (37 CFR 1.16(c))	-	Minus	-	-	-	Independent (37 CFR 1.16(b))	-	Minus	-	-	-	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))					
(Column 1)		(Column 2)		(Column 3)																																	
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA																																
Total (37 CFR 1.16(c))	-	Minus	-	-	-																																
Independent (37 CFR 1.16(b))	-	Minus	-	-	-																																
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))																																					
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2" style="text-align: center;">(Column 1)</th> <th colspan="2" style="text-align: center;">(Column 2)</th> <th colspan="2" style="text-align: center;">(Column 3)</th> </tr> <tr> <th style="text-align: center;">AMENDMENT C</th> <th style="text-align: center;">CLAIMS REMAINING AFTER AMENDMENT</th> <th style="text-align: center;">HIGHEST NUMBER PREVIOUSLY PAID FOR</th> <th style="text-align: center;">PRESENT EXTRA</th> <th style="text-align: center;">HIGHEST NUMBER PREVIOUSLY PAID FOR</th> <th style="text-align: center;">PRESENT EXTRA</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Total (37 CFR 1.16(c))</td> <td style="text-align: center;">-</td> <td style="text-align: center;">Minus</td> <td style="text-align: center;">-</td> <td style="text-align: center;">-</td> <td style="text-align: center;">-</td> </tr> <tr> <td style="text-align: center;">Independent (37 CFR 1.16(b))</td> <td style="text-align: center;">-</td> <td style="text-align: center;">Minus</td> <td style="text-align: center;">-</td> <td style="text-align: center;">-</td> <td style="text-align: center;">-</td> </tr> <tr> <td colspan="6">FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))</td> </tr> </tbody> </table>								(Column 1)		(Column 2)		(Column 3)		AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	Total (37 CFR 1.16(c))	-	Minus	-	-	-	Independent (37 CFR 1.16(b))	-	Minus	-	-	-	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))					
(Column 1)		(Column 2)		(Column 3)																																	
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA																																
Total (37 CFR 1.16(c))	-	Minus	-	-	-																																
Independent (37 CFR 1.16(b))	-	Minus	-	-	-																																
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))																																					
<p>* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.</p> <p>** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".</p> <p>*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".</p> <p>The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.</p>																																					

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/07 (05-03)

Approved for use through 4/30/2003. OMB 0851-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

MULTIPLE DEPENDENT CLAIM FEE CALCULATION SHEET Substitute for Form PTO-1360 (For use with Form PTO/SB/08)						Application Number <b>09/683,738</b>		Filing Date <b>February 7, 2002</b>		
						Applicant(s) <b>Habib Vafi, et al.</b>				
* May be used for additional claims or amendments										
CLAIMS	AS FILED		AFTER FIRST AMENDMENT		AFTER SECOND AMENDMENT					
	Indep	Depend	Indep	Depend	Indep	Depend	Indep	Depend	Indep	Depend
1	✓									
2		✓								
3	✓									
4		✓								
5		✓								
6		✓								
7		✓								
8		✓								
9		✓								
10	✓									
11		✓								
12	✓									
13		✓								
14		✓								
15		✓								
16		✓								
17		✓								
18		✓								
19		✓								
20			✓							
21				✓						
22			✓							
23				✓						
24				✓						
25				✓						
26				✓						
27				✓						
28			✓							
29				✓						
30			✓							
31				✓						
32				✓						
33				✓						
34				✓						
35				✓						
36				✓						
37										
38										
39										
40										
41										
42										
43										
44										
45										
46										
47										
48										
49										
50										
Total Indep	4		4							
Total Depend	14		14							
Total Claims	4	14	8	28						

  

	Indep	Depend	Indep	Depend	Indep	Depend
51						
52						
53						
54						
55						
56						
57						
58						
59						
60						
61						
62						
63						
64						
65						
66						
67						
68						
69						
70						
71						
72						
73						
74						
75						
76						
77						
78						
79						
80						
81						
82						
83						
84						
85						
86						
87						
88						
89						
90						
91						
92						
93						
94						
95						
96						
97						
98						
99						
100						
Total Indep						
Total Depend						
Total Claims						

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.